

Secretariat of the Committee on Transport and Tourism

## ORAL AMENDMENT

### Oral Amendment by Rapporteur:

#### **Article 2 – paragraph 1 – point g**

*Text proposed by the Commission*

(g) ‘recreational craft’ means a ship of any type, with a hull length *of* 2.5 metres *and beyond*, regardless of the means of propulsion, intended for sports or leisure purposes, and not engaged in trade;

*Amendment*

(g) ‘recreational craft’ means a ship of any type, with a hull length *from* 2.5 metres *to 24 metres*, regardless of the means of propulsion, intended for sports or leisure purposes, and not engaged in trade;

## COMPROMISE AMENDMENTS

### COMPROMISE 1 - Article 3 - Scope

Covers AMs: AM 12 (Rapporteur), AM 107 (González Peñas), AM 108 (Riquet), AM 109 (Paksas), AM 110 (Muselier, Proust, Cadec), AM 111 (Anderson, Revault d'Allonnes Bonnefoy, Griffin), AM 116 (Clune) AM 95 (Muselier, Proust, Cadec), AM 97 (Kyrkos)

#### **Article 3 – paragraph 1 – point a**

*Text proposed by the Commission*

(a) all ships, irrespective of their flag, calling at, or operating within, a port of a Member State, with the exception of any warship, naval auxiliary or other ship owned or operated by a State and used, for the time being, only on a government non-commercial basis;

(b) all ports of the Member States normally visited by ships falling under the scope of point (a).

*Amendment*

(a) all ships, irrespective of their flag, calling at, or operating within, a port of a Member State, with the exception of *ships engaged in port related services within the meaning of Article 1 (2) of Regulation (EU) 2017/352*, of any warship, naval auxiliary or other ship owned or operated by a State and used, for the time being, only on a government non-commercial basis;

(b) all ports of the Member States normally visited by ships falling under the scope of point (a). *For the purpose of this Directive, and to avoid undue delay to*

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*ships, Member States may decide to exclude the anchorage area from their ports for the purposes of the application of Articles 6, 7 and 8.*

### **Article 3 – paragraph 2**

#### *Text proposed by the Commission*

Member States shall take measures to ensure that, where *possible*, ships, which do not fall within the scope of this Directive, deliver their waste in a manner consistent with this Directive.

#### *Amendment*

Member States shall take measures to ensure that, where *reasonable and practicable*, ships, which do not fall within the scope of this Directive, deliver their waste in a manner consistent with this Directive.

### **COMPROMISE 2 - Article 4 - Port reception facilities**

Covers AM 118 (Taylor, Delli), AM 119 (Clune), AM 120 (Paksas), AM 121 (Muselier, Proust, Cadec), AM 122 (Bilbao Barandica, Meissner), AM 123 (Monteiro de Aguiar); PECH 15, ENVI 27; Recitals: PECH 8, AM 83, AM 84, AM 13 (Rapporteur), PECH 14, ENVI 26

### **Article 4 – paragraph 2 – point c**

#### *Text proposed by the Commission*

(c) The port reception facilities allow for the management of the ship's waste in an environmentally appropriate way in accordance with the requirements of Directive 2008/98/EC and other relevant Union legislation on waste. *To this end*, the Member States shall provide for separate collection of waste from ships in ports as required in Union waste legislation, in particular Directive 2008/98/EC, Directive 2012/19/EU and Directive 2006/66/EC. *Point (c)* shall apply without prejudice to the more stringent requirements imposed by Regulation (EC) 1069/2009 for the management of catering waste from international transport.

#### *Amendment*

(c) The port reception facilities allow for the management of the ship's waste in an environmentally appropriate way in accordance with the requirements of Directive 2008/98/EC and other relevant Union *and national* legislation on waste. *For the purposes of point (c)*, the Member States shall provide for separate collection *to facilitate reuse and recycling* of waste from ships in ports as required in Union waste legislation, in particular Directive 2008/98/EC, Directive 2012/19/EU and Directive 2006/66/EC. *This point* shall apply without prejudice to the more stringent requirements imposed by Regulation (EC) 1069/2009 for the management of catering waste from international transport.

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#### **Article 4 – paragraph 4**

*Text proposed by the Commission*

4. Member States shall investigate all reported cases of alleged inadequacies and ensure that any party involved in the delivery or reception of waste from ships can claim compensation for damage caused by undue delay.

*Amendment*

4. Member States, ***if necessary in consultation with EMSA***, shall investigate all reported cases of alleged inadequacies and ensure that any party involved in the delivery or reception of waste from ships can claim compensation for damage caused by undue delay, ***related to non-compliance with the waste reception and handling plans***.

#### **Recital 15a (new)**

*Text proposed by the Commission*

*Amendment*

***(15a) In case Member States use EMSA's services in investigating reported cases of alleged inadequacies of port reception facilities, EMSA should keep track of those requests and provide the Commission with this data in order to assess whether additional support for EMSA is needed in the next financial envelope.***

#### **Article 4 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***4a. Given the situation in the Outermost Regions, recognised under Article 349 of the Treaty on the Functioning of the European Union, Member States shall be able to adopt specific national funding measures, so that they can ensure the adequacy and availability of port reception facilities.***

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**Recital 32 a (new)**

*Text proposed by the Commission*

*Amendment*

***(32a) The specific characteristics of the Outermost Regions, recognised in Article 349 TFEU, should be taken into consideration, giving the Member States an option to adopt specific national funding measures in those regions, so that they can ensure the adequacy and availability of port reception facilities.***

**COMPROMISE 3 - Article 5 - Waste reception and handling plans**

**Covers:** AM 14, AM 15 (Rapporteur), AM 126 (González Peñas), AM 127 (Vozemberg-Vrionidi), AM 128 (Taylor, Delli), AM 130 (Van Dalen), AM 131 (Anderson, Revault d'Allonnes Bonnefoy, Griffin), AM 132 (Paksas), AM 133 (Clune), AM 135 (Vozemberg-Vrionidi), AM 136 (González Peñas), AM 137 (Vozemberg-Vrionidi), AM 138 (Clune), AM 139 (Paksas), AM 140 (Van Dalen), AM 16 (Rapporteur), 124 (Paksas), AM 125 (Monteiro de Aguiar), AM 141 (Clune), AM 142 (Paksas), AM 143 (González Peñas), AM 144 (Bilbao Barandica, Meissner), AM 134 (Arnautu), ENVI 30

**Article 5 – paragraph 2 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

Member States shall ensure that the following information from the waste reception and handling plans on the availability of adequate reception facilities in their ports and the *associated* costs shall be clearly communicated to the ship operators and made publicly available either via the website of the ports or in printed form:

Member States shall ensure that the following information from the waste reception and handling plans on the availability of adequate reception facilities in their ports and the *structure of the* costs shall be clearly communicated to the ship operators and *be* made publicly available *and easily accessible, in both English and in the official languages of the Member State that hosts the port:*

**Article 5 – paragraph 2 – subparagraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) location of port reception facilities applicable to each berth;

(a) location of port reception facilities applicable to each berth, *including opening hours;*

**Article 5 – paragraph 2 – subparagraph 1 – point e**

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*Text proposed by the Commission*

(e) description of the cost recovery systems; **and**

**Article 5 – paragraph 3**

*Text proposed by the Commission*

3. The waste reception and handling plans referred to in paragraph 1 may, where required for reasons of efficiency, be developed in conjunction by two or more neighbouring ports in the same region, with the appropriate involvement of each port, provided that the need for and availability of, reception facilities are specified for each port.

**Article 5 – paragraph 4**

*Text proposed by the Commission*

4. Member States shall evaluate and approve the waste reception and handling plan, monitor its implementation and ensure its re-approval at least every **three** years after it has been approved or re-approved, and after significant changes in the operation of the port have taken place. These changes shall include, but not be limited to, structural changes in traffic to the port, development of new infrastructure, changes in the demand and provision of port reception facilities, and new on-board treatment techniques.

**Article 5 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

(e) description of the cost recovery systems; ***including the fees and the basis on which they have been calculated;*** and

*Amendment*

3. The waste reception and handling plans referred to in paragraph 1 may, where required for reasons of efficiency, be developed in conjunction by two or more neighbouring ports in the same ***geographical*** region, with the appropriate involvement of each port, provided that the need for and availability of, reception facilities are specified for each port.

*Amendment*

4. Member States shall evaluate and approve the waste reception and handling plan, monitor its implementation and ensure its re-approval at least every ***four*** years after it has been approved or re-approved, and after significant changes in the operation of the port have taken place. These changes shall include, but not be limited to, structural changes in traffic to the port, development of new infrastructure, changes in the demand and provision of port reception facilities, and new on-board treatment techniques.

*Amendment*

***4a. Small non-commercial ports, which are characterised by rare or low traffic from recreational crafts only, may be exempted from the scope of this Article if their port reception facilities are***

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*integrated in the waste handling system managed by or on behalf of the municipality, and the Member States, where those ports are located, ensure that the information regarding the waste management system is made available to the users of those ports.*

*The Member States where such ports are located shall notify the location and name of those ports electronically in the part of information, monitoring and enforcement system referred to in Article 14.*

#### **COMPROMISE 4 - Article 7 - Delivery of waste from ships**

**Covers:** AM 151 (Anderson, Revault d'Allonnes Bonnefoy, Griffin), 154 (Muselier, Cadec,Proust), 156 (Clune), AM 17, AM 18 (Rapporteur), AM 159 (Clune),160 (Monteiro de Aguiar), 161 (González Peñas), AM 19, AM 20 (Rapporteur), AM 162 (Clune), AM 163 (Paksas), AM 164, AM 166 (Muselier, Cadec,Proust), AM 167 (Paksas), AM 168 (Riquet), AM 172 (Clune), AM 173 (Złotowski), AM 174 (Muselier, Cadec,Proust), AM 175 (Arnautu), AM 176 (van Dalen), PECH 16, PECH 18, ENVI 33, ENVI 34, AM 152 (Arnautu), 155 & 157 (Paksas), AM 158 (van Dalen), AM 165 (Kyrkos)

##### **Article 7 – paragraph 1**

*Text proposed by the Commission*

1. The master of a ship calling at a Union port shall, before **leaving** the port, deliver all the waste carried on board of the ship to a port reception facility in accordance with the relevant discharge norms laid down in the MARPOL Convention.

*Amendment*

1. The master of a ship calling at a Union port shall, before leaving the port, deliver all the waste carried on board of the ship to a port reception facility, **and after leaving the port, shall not discharge waste at sea**, in accordance with the relevant **delivery and** discharge **norms and regulations** laid down in the MARPOL Convention.

##### **Article 7 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

Upon delivery, the waste operator or the authority of the port where the waste was delivered shall accurately complete the form in Annex 3 and issue the receipt to the ship.

*Amendment*

Upon delivery, the waste operator or the authority of the port where the waste was delivered shall accurately complete the form in Annex 3 and issue the **waste** receipt to the ship **without undue delay**.

### **Article 7 – paragraph 2 – subparagraph 2**

#### *Text proposed by the Commission*

This requirement shall not apply in small unmanned **ports** or in remotely located **ports**, provided that the Member State where such a port is located has reported this information electronically in the part of the information, monitoring and enforcement system referred to in Article 14 of this Directive.

#### *Amendment*

This requirement shall not apply in small **ports with** unmanned **facilities** or in **ports that are** remotely located, provided that the Member State where such a port is located has reported this information electronically in the part of the information, monitoring and enforcement system referred to in Article 14 of this Directive.

### **Article 7 – paragraph 3**

#### *Text proposed by the Commission*

3. The operator, agent or master of a ship, falling within the scope of Directive 2002/59/EC, shall before departure, electronically report the information from the waste receipt in the part of the information, monitoring and enforcement system referred to in Article 14 of this Directive, in accordance with Directive 2010/65/EU and Directive 2002/59/EC.

#### *Amendment*

3. The operator, agent or master of a ship, falling within the scope of Directive 2002/59/EC, shall before departure, **or as soon as practicable after receiving it**, electronically report the information from the waste receipt in the part of the information, monitoring and enforcement system referred to in Article 14 of this Directive, in accordance with Directive 2010/65/EU and Directive 2002/59/EC.

### **Article 7 – paragraph 3 a (new)**

#### *Text proposed by the Commission*

#### *Amendment*

***The master of a fishing vessel calling at a Union port shall report within 24 hours to the competent authority of its flag Member State any losses of fishing gear, in accordance with Article 48 of Regulation (EC) No 1224/2009.***

***The Commission is empowered to adopt delegated acts in accordance with Article 19 to determine the format for reporting by fishing vessels.***



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**Article 7 – paragraph 5 – point a**

*Text proposed by the Commission*

(a) the ship only calls at anchorage for less than 24 hours or under adverse weather conditions;

*Amendment*

(a) the ship only calls at anchorage for less than 24 hours, **or while waiting to be chartered** or under adverse weather conditions;

**Article 7 – paragraph 7**

*Text proposed by the Commission*

7. If **the next port of call is located outside the Union, or there are good reasons to believe** that adequate facilities are **not** available in the next port of call, or **this port** is unknown, the Member State shall require the ship to deliver **all its waste** before departure.

*Amendment*

7. If, **on the basis of the available information, including information electronically available in the information, monitoring and enforcement system referred to in Article 14 of this Directive or in GSIS, it cannot be established** that adequate facilities are available in the next port of call, or **the next port of call** is unknown, the Member State shall require the ship to deliver, before departure, **all waste that cannot be adequately received and treated at the next port of call.**

**COMPROMISE 5 - Article 8 - Cost recovery systems**

**Covers:** AM 180 (Grapini), AM 181, AM 184 (van Dalen), AM 182 (Rapporteur), AM 183 (Clune), AM 185 (Paksas), AM 186 (Złotowski), AM 187 (Clune), AM 189 (Vozemberg -Vrionidi), AM 190 (Muselier, Cadec,Proust), AM 196 (Paksas), AM 21 (Rapporteur), AM 200 (Clune), AM 201 (Taylor, Delli), AM 202 (Caputo, De Monte, Briano); AM 203 (Kyrkos, Fleckenstein), AM 204 (Vozemberg -Vrionidi), AM 205 (van Dalen), AM 206 (Sassoli), AM 207 (Adaktusson), AM 210 (Monteiro de Aguiar, van de Camp), AM 24 (Rapporteur), 224 (Taylor, Delli), 225 (Clune), 226 (Grapini), AM 229 (Clune), AM 230 (Vozemberg -Vrionidi), AM 198 (van Dalen), AM 199, 227, 228 (D'Amato); AM 22,23 (Rapporteur), ENVI 39, ENVI 40, PECH 19, PECH 20, PECH 21, PECH 22, AM 211 (Muselier, Cadec,Proust), AM 212 (Paksas), AM 213 (Anderson, Revault d'Allonnes Bonnefoy, Griffin, Grapini), AM 214 (González Peñas), AM 215 (Vozemberg -Vrionidi), AM 216 (Kyrkos),AM 217 (Złotowski), AM 218 (Muselier, Cadec,Proust), 220 (Monteiro de Aguiar), 222 (Vozemberg -Vrionidi), 223 (Belet), AM 219 (Paksas), AM 221 (Kyrkos, Fleckenstein), 226 (Grapini)

**Recitals:** AM 61 (Caputo, De Monte, Briano), 62 (Anderson, Revault d'Allonnes Bonnefoy, Griffin), 65 (Grapini), AM 63 (Taylor, Delli), AM 64 (González Peñas), PECH 6, ENVI 15, AM 55 (Anderson, Revault d'Allonnes Bonnefoy, Griffin), 58 (Kyrkos, Fleckenstein), 59 (Sassoli), AM 56 (Kyllönen),



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AM 57 (Vozemberg -Vrionidi), 60 (Belet), AM 66 (Bilbao Barandica), AM 76 (Belet), AM 77 (Vozemberg -Vrionidi), AM 78 (Kyrkos, Fleckenstein)

**Article 8 – paragraph 1**

*Text proposed by the Commission*

1. Member States shall ensure that the costs of operating port reception facilities for the reception and treatment of waste from ships, other than cargo residues, **shall be** covered through the collection of a fee from ships. Those costs include the elements listed in Annex 4.

**Article 8 – paragraph 2**

*Text proposed by the Commission*

The cost recovery systems shall provide no incentive for ships to discharge their waste at sea. To this end, the Member States shall apply the following principles in the design and operation of the cost recovery systems in ports:

**Article 8 – paragraph 2 - point a**

*Text proposed by the Commission*

(a) part of the fee to be paid by ships shall be an indirect fee, to be paid irrespective of delivery of waste to a port reception facility;

**Article 8 – paragraph 2 – point b**

*Text proposed by the Commission*

(b) the indirect fee shall cover the indirect administrative costs, as well as a significant part of the direct operational costs, as determined in Annex 4. The significant part of the direct operational costs shall represent at least 30 % of the total **yearly** direct costs for actual delivery of the waste;

*Amendment*

1. Member States shall ensure that the costs of operating port reception facilities for the reception and treatment of waste from ships, other than cargo residues, **are** covered through the collection of a fee from ships, **respecting "the polluter pays" principle**. Those costs **shall** include the elements listed in Annex 4.

*Amendment*

Agrees with COM proposal`  
(no AMs tabled)

*Amendment*

Agrees with COM proposal  
(no AMs tabled)

*Amendment*

(b) the indirect fee shall cover the indirect administrative costs, as well as a significant part of the direct operational costs, as determined in Annex 4 **and that** significant part representing **at least 30 %** of the total direct costs for actual delivery of the waste **during the previous year**. **Costs related to expected traffic volume for the**

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*coming year can also be taken into account;*

#### **Article 8 – paragraph 2 – point c**

*Text proposed by the Commission*

(c) in order to provide for a maximum incentive for the delivery of waste as defined in Annex V to the MARPOL Convention, ***including the waste that has been collected in nets during fishing operations, the indirect fee to be charged shall cover all the costs of port reception facilities for this waste***, in order to ensure a right of delivery without any additional ***direct*** charges;

(c) in order to provide for a maximum incentive for the delivery of waste as defined in Annex V to the MARPOL Convention, ***other than cargo residues, no direct fee shall be charged for this waste***, in order to ensure a right of delivery without any additional charges ***based on volume of waste delivered, except when this volume of waste delivered exceeds the maximum dedicated storage capacity as mentioned in the form set out in Annex 2 to this Directive. Passively fished waste shall be covered by this regime, including the right of delivery;***

#### **Article 8 – paragraph 2 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

***(ca) in order to encourage fishing for litter schemes and to avoid the costs of collection in port reception facilities and of the subsequent treatment of fished waste being borne by port users, these costs shall be met entirely from the revenues generated by alternative financing systems, including extended producer responsibility and recycling schemes; available regional, national and European funding shall also be used to cover these costs;***

#### **Article 8 – paragraph 2 – point d**

*Text proposed by the Commission*

(d) ***The indirect fee shall not cover the waste from exhaust gas cleaning systems,***

*Amendment*

(d) ***the indirect fee shall not cover the waste from exhaust gas cleaning systems,***

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the costs of which shall be covered on the basis of the types and quantities of waste delivered.

the costs of which shall be covered on the basis of the types and quantities of waste delivered.

### Article 8 – paragraph 3

*Text proposed by the Commission*

3. The part of the costs which is not covered by the fee referred to in **subparagraph** (b), if any, shall be covered on the basis of the types and quantities of waste actually delivered by the ship.

The part of the costs which is not covered by the fee referred to in **point** (b) of **paragraph 2**, if any, shall be covered on the basis of the types and quantities of waste actually delivered by the ship.

### Article 8 – paragraph 4

*Text proposed by the Commission*

4. The fees may be differentiated with respect to, inter alia, the category, type and size of the ship and the type of **traffic** the ship is engaged in, as well as with respect to services provided outside normal operating hours in the port.

4. The fees may be differentiated with respect to, inter alia, the category, type and size of the ship and the type of **trade** the ship is engaged in, **the hazardous nature of the waste**, as well as with respect to services provided outside normal operating hours in the port.

### Article 8 – paragraph 5

*Text proposed by the Commission*

5. The fees shall be reduced if the ship's design, equipment and operation are such that it can be demonstrated that the ship produces reduced quantities of waste, and manages its waste in a sustainable and environmentally sound manner. The Commission shall **be empowered by means of** delegated acts in accordance with Article 19, **to define** the criteria for determining that a ship meets the requirements stated in this paragraph in relation to the ship's on-board waste management.

*Amendment*

5. The fees shall be reduced if the ship's design, equipment, **procurement policies** and operation are such that it can be demonstrated that the ship produces reduced quantities of waste, and manages its waste in a sustainable and environmentally sound manner. The Commission shall **adopt** delegated acts in accordance with Article 19, **in order to supplement this Directive by laying down** the criteria for determining that a ship meets the requirements stated in this paragraph in relation to the ship's on-board

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waste management. ***This should be in line with best practice and IMO guidelines.***

### Article 8 – paragraph 6

*Text proposed by the Commission*

6. In order to ensure that the fees are fair, transparent, non-discriminatory, and that they reflect the costs of the facilities and services made available, and, where appropriate, used, the amount of the fees and the basis on which they have been calculated shall be made available to the port users.

*Amendment*

6. In order to ensure that the fees are fair, transparent, ***easily identifiable***, non-discriminatory, and that they reflect the costs of the facilities and services made available, and, where appropriate, used, the amount of the fees and the basis on which they have been calculated shall be made available ***in English*** to the port users ***in the waste reception and handling plans.***

### Recital 19

*Text proposed by the Commission*

(19) The ‘Green Ship’ concept should be further developed in relation to waste management, so that an effective reward system can be implemented for those vessels that reduce their waste on board.

*Amendment*

(19) The ‘Green Ship’ concept should be further developed ***and fully implemented*** in relation to waste management. ***Minimum requirements should be established at EU level, and realised in a harmonised way as much as possible***, so that an effective reward system can be implemented for those vessels that reduce their waste on board ***through environmentally sustainable waste prevention and management, in line with best practices. Member States should encourage practices beyond the required standards.***

***In addition, reduction of waste is primarily achieved through effective on board waste segregation, in line with the IMO guidelines for MARPOL Annex V and standards developed by the International Standardization Organization.***

***The Commission should assign a group of experts in order to establish the criteria that must be met in order for a ship to be declared a "green ship" and should also***

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*encourage the exchange of good practices on the development of bottom-up schemes.*

### **COMPROMISE 6 - Article 14 - Reporting and exchange of information**

Covers AM 25, AM 26 (Rapporteur), AM 246 (Taylor, Delli), AM 247 (González Peñas), AM 248 (Grapini), AM 249 (Anderson, Revault d'Allonnes Bonnefoy, Griffin), AM 250 (Paksas), AM 251 (Clune), ENVI 46, ENVI 48, ENVI 47

#### **Article 14 – paragraph 2 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

***(da) in the event of loss of fishing gear, the information required pursuant to Article 48 of Council Regulation (EC) No 1224/2009<sup>1a</sup>;***

*1a Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 (OJ L 343, 22.12.2009, p. 1).*

#### **Article 14 – paragraph 4**

*Text proposed by the Commission*

4. The information reported for the purposes of Articles 4 and 5(2) shall be subsequently transmitted by the Commission to the IMO Port Reception Facilities Database within GISIS.

*Amendment*

4. The information reported for the purposes of Articles 4 and 5(2) shall be subsequently transmitted by the Commission to the IMO Port Reception Facilities Database within GISIS, ***which will require regular updating.***

#### **Article 14 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***4 a. The Commission shall, on the basis of the data reported to it in accordance***

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*with point (da) of paragraph 2, publish, by 31 December 2022 and every two years thereafter, a synthesis report on the loss of fishing gear.*

### **COMPROMISE 7 - Article 2 - Definitions**

Covers AM 11 (Rapporteur), AM 101 (van Dalen), AM 102, 105 (Clune), AM 103 (Paksas), AM 104 (Anderson, Revault d'Allonnes Bonnefoy, Griffin), ENVI 22, PECH 11, PECH 12, ENVI 25

#### **Article 2 – paragraph 1 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

*(ca) ‘passively fished waste’ means waste unintentionally collected in nets during fishing operations;*

#### **Article 2 – paragraph 1 – point c c (new)**

*Text proposed by the Commission*

*Amendment*

*(cc) ‘waste actively collected’ means waste that is collected during non-fishing trips into waste hot-spots, based on an environmental assessment, and with the sole purpose of removing marine litter from the sea;*

#### **Article 2 – paragraph 1 – point l**

(l) ‘sufficient storage capacity’ means enough capacity to store the waste on board from the moment of departure until the next port of call, including the waste that is likely to be generated during the voyage;

(l) ‘sufficient storage capacity’ means enough *designated* capacity *for each type of waste to be stored* on board, *according to the ships certificates or garbage management plans*, from the moment of departure until the next port of call, including the waste that is likely to be generated during the voyage;

#### **Article 2 – paragraph 1 – point m**

(m) ‘scheduled traffic’ means traffic based on a published or planned list of times of departures and arrivals between identified ports or recurrent crossings that constitute a recognised schedule;

(m) ‘scheduled traffic’ means traffic based on a published or planned list of times of departures and arrivals between *two* identified ports or recurrent crossings that constitute a recognised schedule; *the ship's*

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*schedule should be set in advance and remain stable over at least 4 months;*

### **COMPROMISE 8 - Recital 18 and 18 a (new)**

Covers AM 50 (Delli, Taylor), AM 51 and 52 (D'Amato), AM 53, 55 (Anderson, Revault d'Allonnes Bonnefoy, Griffin), 54 (Caputo, De Monte, Briano), PECH 4, PECH 5, ENVI 12, ENVI 13, ENVI 14, AM 48 (Muselier, Proust, Cadec), AM 49 (Paksas)

#### **Recital 18**

*Text proposed by the Commission*

(18) To address the problem of marine litter effectively, it is fundamental to provide the right level of incentives for the delivery of waste to port reception facilities, in particular garbage. This can be achieved through a cost recovery system, which requires the application of an indirect fee, which is due irrespective of the delivery of waste and which should give a right of delivery of the waste without any additional direct charges. *The fishing* and recreational sector, given *their* contribution to the occurrence of marine litter, should also be included in this system.

#### **Recital 18 a (new)**

*Text proposed by the Commission*

*Amendment*

(18) To address the problem of marine litter effectively, it is fundamental to provide the right level of incentives for the delivery of waste to port reception facilities, in particular garbage. This can be achieved through a cost recovery system, which requires the application of an indirect fee, which is due irrespective of the delivery of waste and which should give a right of delivery of the waste without any additional direct charges. *Nonetheless, ship managers should also work toward the reduction of waste generated on board.* The recreational sector, given *its* contribution to the occurrence of marine litter, should also be included in this system. *The delivery of fished waste should not result in additional costs on fishing vessels.*

*Amendment*

*(18a) In certain Member States, schemes have been set up to provide financing for fishermen for the costs that they might incur as a result of delivering fishing gear waste or actively and passively fished waste ashore. Those schemes could be supported by extended producer responsibility schemes, which could complement the cost recovery systems set up in accordance with this Directive. As such, those cost recovery*



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*systems should not create a disincentive for fishing vessels and port communities to participate in existing delivery schemes for actively and passively fished waste.*

**Recital 18 b (new)**

*Text proposed by the Commission*

*Amendment*

*(18b) To promote the delivery of passively fished waste collected in nets during normal fishing operations, Member States should cover the costs associated with its collection in port reception facilities and subsequent management with revenues generated by alternative income sources.*